REMARKS

Applicant wishes to thank the Examiner for the courtesy of a telephone interview on September 28, 2006, wherein the priority and prior art rejections were discussed. The claims as now presented herein were provided to the Examiner but were not discussed in detail. Applicant pointed out sequence support in the priority 60/384,228 application and publicly available at the time of filing. Prior art rejections over Monia et al and Rubin et al were discussed.

Claims 1-33 were pending in the present application. Claims 6 and 21-33 were previously withdrawn. By virtue of this response, claims 1-6, 8, 16, and 21-33 have been cancelled, claims 7, 9-12, 15 and 17-20 have been amended and new claims 34-44 have been added. Accordingly, claims 7, 9-15, 17-20, and 34-44 are currently under consideration. Allowance of the pending claims is respectfully requested.

With respect to all amendments and canceled claims, Applicant has not dedicated or abandoned any unclaimed subject matter and, moreover, has not acquiesced to any rejections and/or objections made by the Patent Office. Applicant reserves the right to pursue prosecution of any presently excluded claim embodiments in future continuation and/or divisional applications.

Claim Amendments

The amendments to claims 7, 9-12, 15 and 17-20, as well as new claims 34-44, are fully supported by the original application. References to paragraph numbers herein are taken from the instant original application as filed, and not from the published US application.

Claim 7 has been amended to recite an antisense oligonucleotide comprising a sequence substantially complementary to SEQ ID NO:5, wherein the oligonucleotide is from

about 8 to about 50 nucleotides in length. Support for the amendment "wherein the oligonucleotide is from about 8 to about 50 nucleotides in length" can be found, e.g. in paragraphs [0068] and [0129].

Claims 9, 10 and 11 have been amended to change the dependencies of the claims in light of the cancellation of claims 1-6. Support for the amendment of claims 9 and 10 can be found, e.g., in [0015], [0096], [0016], and [0146]. Support for the amendment of claim 11 can be found, e.g., in [0015], [0096], [0018], and [0098].

Claim 12 has been amended to indicate a recombinant DNA molecule comprising a nucleic acid sequence which encodes on transcription an antisense RNA which is complementary to SEQ ID NO:5. Support for this amendment can be found, e.g. in paragraphs [0015], [0096], [0019] and [0100].

Claim 15 has been amended to indicate an expression vector capable of expressing a nucleic acid which is complementary to SEQ ID NO:5, wherein said nucleic acid inhibits the expression of KSR. Support for this amendment can be found, e.g. in paragraphs [0015], [0096], [0020], [0101] and [0129]. "Oligonucleotide" has been deleted to correct antecedent basis.

Claim 17 and 18 have been amended to change the dependencies of the claims in light of the cancellation of claims 1-6. Support for these amendments can be found, e.g., in paragraphs [0021], [0137], [0015], and [0096]. In addition, claim 17 has been amended to replace "an" with "the" to correct an informality as requested by the Patent Office.

Claim 19 has been amended to depend from claim 7. Support for this amendment can be found, e.g. in paragraphs [0015], [0096], [0022] and [0138].

Claim 20 has been amended to indicate a composition comprising an expression vector, wherein the expression vector is capable of expressing nucleic acid which is

complementary to SEQ ID NO:5. Support for this amendment can be found, e.g. in paragraphs [0015], [0096], [0023], [0102] and [0121].

New claims 34-44 find support throughout the application as filed. For example, support for new claims 34 and 35 can be found in paragraphs [0068] and [0129]. New claims 36 and 37 find support, e.g., in SEQ ID NO:28 and paragraphs [0056] and [0200], and new claim 38 finds support, e.g., in paragraphs [0018], [0097], [0098] and [0124]. New claims 39 and 40 find support, e.g., in paragraphs [0021], [0137], [0015], [0096], [0018], and [0098]. New claim 41 finds support, e.g., in paragraphs [0022], [0138], [0015], [0096], [0018], and [0098]. New claim 42 finds support, e.g., in paragraphs [0056], [0200], [0018], and [0098]. New claim 43 finds support, e.g., in paragraphs [0068], [0123], [0061], and [0129]. New claim 44 finds support, e.g., in paragraphs [0018], [0097], [0098], and [0124].

No new matter is added by the amendments to the claims.

Priority

The Examiner asserts that Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 119(e) because the disclosure of the prior-filed application, U.S. Application No. 60/384,228 ("the '228 provisional"), allegedly fails to provide adequate support or enablement for SEQ ID NO:5 in claim 7. Applicant respectfully disagrees.

Applicant submits that the '228 provisional provides adequate written support for SEQ ID NO:5. SEQ ID NO: 5 corresponds to the 5' to 3' sequence: **CGGACCCTAGAGGCAAAG**. At page 10 of the '228 provisional, antisense oligonucleotides are described, specifically, the active KSR-AS ODN oligonucleotide and the control and inactive oligonucleotides KSR-Sense ODN and a Mismatch ODN. Page 10 further states that these ODNs were generated as phosphorothioate derivatives against nucleotides 214

to 231 of the unique CA1 domain (amino acids (AAs) 42-82) of murine ksr. On page 10, after the heading "Treatment with KSR-AS ODN," the '228 provisional discloses the following:

> Murine KSR-AS ODN (5'-GCCTGGGATCTCCGTTTC-3'), KSR-sense ODN (5'-GAAACGGAGATCCCAGGC-3'), and a mismatch KSR-AS ODN (5'-GCAT GTGATC CCG TTGC-3') containing three nucleotide substitutions (in bold), were generated as phosphorothioate derivatives against nucleotides 214 to 231 of the unique CA1 domain (AAs 42-82) by Genelink Inc. (Hawthorne, NY).

A sense ODN is an oligonucleotide corresponding in sequence to the target sequence (ie., the "sense" sequence) of an antisense oligonucleotide. Sense oligonucleotides are used as controls to ensure the proper specificity of an antisense and to control for GC/AT content. One of ordinary skill in the art would have understood from the passage above and the rest of the '228 provisional that the murine KSR-AS ODN reported in the provisional was intended to be a phosphorothioate antisense oligonucleotide having a sequence complementary to a portion of the unique CA1 domain of murine KSR and that the KSR-sense ODN reported in the provisional was intended to be an oligonucleotide having a sequence that corresponded to the sense strand of the same portion of the unique CA1 domain of murine KSR. Therefore, the skilled artisan would recognize and understand that KSR-sense ODN should correspond in sequence to the target sequence within KSR, or a portion of the CA1 domain. However, the ODN sequences in the '228 provisional were inadvertently and mistakenly written in backwards orientation - the nucleotides were listed in 3' to 5' orientation instead of in 5' to 3' orientation. Thus, although the actual component nucleotides listed for the sequences of the murine KSR-AS-ODN and KSR-sense ODN oligonucleotides reported in the '228 provisional were correct, the directionality of each of the sequences was inadvertently mislabeled, such that the 5'-terminus of each oligonucleotide was listed as the 3'-terminus, and vice versa.

Thus, the actual (inverted) sequence of the KSR-sense ODN was **5'-CGGACCCTAGAGGCAAAG-3',** which is the sequence listed in the present application as SEQ ID NO:5.

At page 8 of the '228 provisional, the mouse sequence used as probe is referenced as "the 5' coding region (nt 1-786) of mouse *ksr* cDNA (Genbank accession # U43585)". Genbank U43585, 'mouse ksr mRNA, complete cds', was known and publicly available at the time of filing of the '228 provisional. Both encoded polypeptide and nucleic acid sequences are provided in U43585 and the actual CDS or coding sequence is given as nucleotides 83 through 2704. The first encoding nucleotide of U43585 is therefore nucleotide 83. Encoding nucleotides 214 through 231 of the CA1 domain (SEQ ID NO:5) therefore correspond to nucleotides 296 through 313 (ie: (214+82=296) through (231+82=313)) in U43585.

Importantly, because the nucleotide and amino acid sequences of murine KSR, as well as the identification of the CA1 domain, were known and publicly available at the time of filing of the '228 provisional, one of ordinary skill in the art would have readily recognized the erroneous reversal in the directionality of the murine KSR-AS ODN and KSR-sense ODN sequences in the '228 provisional. The skilled artisan would have observed that the 18-mer antisense and sense ODN sequences provided in the '228 provisional only complemented or matched the publicly available murine KSR sequences (and particularly the nucleotides encoding a portion of the publicly available CA1 domain sequence) in the reverse directionality. Comparison of homology between sequences, such as nucleotide sequences, is facilitated by a variety of publicly available algorithms and had been routine for years prior to the filing of the '228 provisional. A selected listing of murine KSR sequences that were publicly available at the time of filing of the '228 provisional (May 30, 2002), including the U43585 referenced in the '228 provisional, is provided in Table 1, below.

Table 1. References disclosing KSR nucleotide and/or amino acid sequences prior to the filing date of the '228 provisional (May 30, 2002)

Reference	Description/Title	Portion of sequence which corresponds to SEQ ID NO:5 of 10/727,358 or to amino acids encoded by SEQ ID NO:5 of 10/727,358	Publication date
Accession No. U43585	Mouse KSR1	nts 296-313	Sept. 24, 1998[1]
Accession No. NM_013571	Mouse Ksr1	nts 296-313	Jan. 9, 2002[2]
US 5,747,288 Rubin et al.	Protein Kinase Required for Ras Signal Transduction	nts 296-313 of SEQ ID NO:5 aa 72-77 in Fig. 5A (Table 1 shows CA1 domain as aa 42-81)	May 5, 1998[3]
US 5,700, 675 Rubin et al.	Protein Kinase Required for Ras Signal Transduction	nts 296-313 of SEQ ID NO:5 aa 72-77 in Fig. 5A (Table 1 shows CA1 domain as aa 42-81)	Dec. 23, 1997[4]
US 5,747,275 Rubin et al.	Protein Kinase Required for Ras Signal Transduction	nts 296-313 of SEQ ID NO:5 aa 72-77 in Fig. 5A (Table 1 shows CA1 domain as aa 42-81)	May 5, 1998[5]
WO 97/21820 Rubin et al.	A Novel Protein Kinase Required for Ras Signal Transduction	nts 296-313 of SEQ ID NO:5 aa 72-77 in Fig. 5A (Table 1 shows CA1 domain as aa 42-81)	June 19, 1997
Cell Vol. 83:879-888 Therrien, Chang, Solomon, Karim, Wassarman and Rubin	KSR, a Novel Protein Kinase Required for RAS Signal Transduction	aa 72-77 in Fig. 5A (Table 1 shows CA1 domain as aa 42-81)	Dec. 15, 1995

[1] Last reported database update prior to filing date of US Application No. 60/384,228
[2] Last reported database update prior to filing date of US Application No. 60/384,228
[3] Issue date
[4] Issue date
[5] Issue date

Each of the references in Table 1 disclosed at least one KSR nucleotide or amino acid sequence that contained the nucleotide sequence of SEQ ID NO:5 or the amino acid sequence encoded by SEQ ID NO:5 prior to the filing of the '228 provisional. A copy of each of the references in Table 1 not previously cited by the Office is included in the Information Disclosure Statement filed herewith.

In addition to recognizing the correct directionality of the sequences of KSR-AS-ODN and KSR-sense ODN, it would also have been apparent to one of ordinary skill in the art from Applicant's disclosure in the '228 provisional that Applicant was, in fact, in actual possession of the correct sequences with the correct directionality. The efficacy of the murine KSR-AS ODN relative to the controls as reported in the '228 provisional evidences that the oligonucleotides that were actually used in the specification's reported experiments contained the correct sequences, complementary to (antisense) and matching (sense) the target KSR sequence. As disclosed on page 6 of the '228 provisional, *in vivo* continuous infusion of KSR-AS ODN attenuated A431 tumor growth by 80%, whereas Control ODN and KSR-sense ODN exhibited no significant effect on A431 tumor growth. Given the public availability of the mouse KSR sequences, it would have been apparent to one of ordinary skill in the art that the oligonucleotides used in the experiments disclosed in the '228 provisional must have contained the sequences with the correct, not the stated, orientation.

Because U.S. Application No. 60/384,228 provides adequate written support and enablement for SEQ ID NO:5 and antisense oligonucleotides complementary to SEQ ID NO:5 in accordance with 35 USC 112, first paragraph, Applicant respectfully requests that the Office withdraw its assertion that Applicant has failed to comply with the conditions for receiving the benefit of the filing date of U.S. Application No. 60/384,228.

Information Disclosure Statement

An Information Disclosure Statement (IDS) has been filed with this Amendment.

Claim Objections

Claim 17: The Office has objected to Claim 17 because of an improper phrase for a dependent claim. Applicant has amended claim 17 as requested.

Claim Rejections Under 35 U.S.C. § 112

Claims 7 and 8: The Office has rejected claims 7 and 8 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 has been rejected because the phrase "corresponding to 214 to 231 of the sequence of mouse KSR (SEQ ID NO:5)" allegedly renders claim 7 indefinite. Without acquiescing to the Office's assertions, and in the interest of expediting prosecution, the phrase "corresponding to 214 to 231 of the sequence of mouse KSR" has now been deleted from claim 7 and claim 7 refers to SEQ ID NO:5. Accordingly, Applicant respectfully requests that the rejection of claim 7 under 35 USC § 112, second paragraph, be withdrawn.

Without acquiescing to the Office's assertions, and in the interest of expediting prosecution, claim 8 has been cancelled, thereby rendering the rejection of claim 8 under 35 USC § 112, second paragraph, moot.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-4, 11, and 15-20: The Office has rejected claims 1-4, 11, and 15-20 under 35 U.S.C. § 102(e) as allegedly being anticipated by Monia et al. (U.S. 2003/0109466). Applicant respectfully traverses this rejection.

Claims 1-4 and 16 are canceled without prejudice for the purpose of expediting prosecution of the remaining claims. Claim 11, as amended, is directed to an antisense

oligonucleotide comprising a sequence substantially complementary to SEQ ID NO:5, wherein the oligonucleotide is from about 8 to about 50 nucleotides in length and wherein said oligonucleotide comprises at least one phosphorothioate linkage. Claim 15, as amended, is directed to an expression vector capable of expressing a nucleic acid which is substantially complementary to SEQ ID NO:5, wherein said nucleic acid inhibits the expression of KSR and is from about 8 to about 50 nucleotides in length. Claim 17, as amended, is directed to a pharmaceutical composition comprising a therapeutically effective amount of an oligonucleotide and a pharmaceutically acceptable carrier or diluent, wherein the oligonucleotide is an antisense oligonucleotide comprising a sequence substantially complementary to SEQ ID NO:5 and from about 8 to about 50 nucleotides in length. Claim 18, as amended, is directed to a composition comprising an oligonucleotide and a pharmaceutically acceptable carrier or diluent, wherein the oligonucleotide is an antisense oligonucleotide comprising a sequence substantially complementary to SEQ ID NO:5 and from about 8 to about 50 nucleotides in length. Claim 19, as amended, is directed to a composition comprising one or more chemotherapeutic or radiotherapeutic agent and an oligonucleotide, wherein the oligonucleotide inhibits KSR expression and is an antisense oligonucleotide comprising a sequence substantially complementary to SEQ ID NO:5 and from about 8 to about 50 nucleotides in length. Claim 20, as amended, is directed to a composition comprising an expression vector and a pharmaceutically acceptable carrier or diluent, wherein said expression vector is capable of expressing nucleic acid which is substantially complementary to SEQ ID NO:5, wherein said nucleic acid inhibits the expression of KSR and is from about 8 to about 50 nucleotides in length.

To anticipate a claim, a prior art reference must teach or suggest each and every limitation of the claim. Applicant respectfully submits that Monia et al. does not anticipate claims 11, 15, and 17-20, because the reference fails to disclose or suggest all elements of claims 11, 15, and 17-20, as amended. Monia et al. does not disclose any sequences comprising SEQ ID NO:5 or any sequences substantially complementary to SEQ ID NO:5.

The ksr sequence provided and referenced in Monia et al is a partial or incorrect sequence and does not have SEQ ID NO:5 or its surrounding sequence. With respect to claims 11, 15, and 17-20, Monia et al. neither teaches nor suggests an oligonucleotide substantially complementary to a sequence of SEQ ID NO:5, including wherein the oligonucleotide is from about 8 to about 50 nucleotides in length. With respect to claims 15 and 20, Monia et al. neither teaches nor suggests an expression vector which is capable of expressing a nucleic acid which is substantially complementary to SEQ ID NO:5, wherein said nucleic acid inhibits the expression of KSR. Applicant submits that the phrase "capable of expressing a nucleic acid which is substantially complementary to SEQ ID NO:5, wherein said nucleic acid inhibits the expression of KSR and is from about 8 to about 50 nucleotides in length" in claims 15 and 20 does have patentable weight over Monia et al. since the phrase is not a mere expression of intended use, but rather limits the structure of the claimed expression vector and therefore must be treated as a claim limitation. See, e.g., MPEP 2111.02(I-II).

Since Monia et al. does not teach or suggest each and every element of claims 11, 15, and 17-20, as amended, Applicant respectfully requests that the rejection of claims 11, 15, and 17-20 under 35 USC § 102(e) be withdrawn. Claims 1-4 and 16 are canceled, so the rejection of these claims under 35 USC § 102(e) is moot.

Claims 1-7 and 15-20: The Office has rejected claims 1-7 and 15-20 under 35 U.S.C. § 102(b) as allegedly being anticipated by Rubin et al. (U.S. 5,747,288). Applicant respectfully traverses this rejection.

Claims 1-6 and 16 are canceled without prejudice for the purpose of expediting prosecution of the remaining claims. Claim 7, as amended, is directed to an antisense oligonucleotide comprising a sequence substantially complementary to SEQ ID NO:5, wherein the oligonucleotide is from about 8 to about 50 nucleotides in length. Claims 15-20, as

amended, are as described above in response to the rejection of those claims under §102 over Monia et al.

As noted above, to anticipate a claim, a prior art reference must teach or suggest each and every limitation of the claim. Applicant respectfully submits that Rubin et al. does not teach or suggest all elements of Applicant's claims, as amended, and therefore does not anticipate the claims. Rubin et al. relates to and claims isolated nucleic acid encoding a kinase suppressor of ras (Ksr) protein, including the disclosed encoding nucleic acids SEQ IDs 1, 3, 5, or 7, which are 3,697; 3,681; 4,094; and 2,846 base pairs in length respectively. Rubin et al. claims an isolated nucleic acid having a sequence defined by or complementary to or reverse complementary to SEQ ID NO:1, 3, 5, or 7; i.e. full length encoding or fully complementary sequences. Applicant points out that the instant claims relate to oligonucleotides, particularly antisense oligonucleotides, which do not encode and cannot express a KSR polypeptide and which specifically function as antisense molecules. Applicant's claimed sequences are complementary to particular defined regions or nucleotides of ksr encoding nucleic acid and, further, are of a relatively short or defined length. Rubin et al. neither teaches nor suggests an antisense oligonucleotide substantially complementary to instant SEQ ID NO:5, wherein the oligonucleotide is from about 8 to about 50 nucleotides in length. Rubin et al. does not teach or suggest an expression vector capable of expressing a nucleic acid which is complementary to SEQ ID NO:5, wherein the nucleic acid inhibits the expression of KSR nor a composition comprising such an expression vector. As discussed above with respect to the rejection of claims 15 and 20 under §102 over Monia et al., Applicant submits that the phrase "capable of expressing a nucleic acid which is substantially complementary to SEQ ID NO:5, wherein the nucleic acid inhibits the expression of KSR and is from about 8 to about 50 nucleotides in length" is of patentable weight. Rubin et al. does not teach or suggest the claimed nucleic acids that are complementary to SEQ ID NO:5, or expression vectors that express those nucleic acids.

Accordingly, since Rubin et al. does not teach or suggest each and every element of claims 7 and 15-20, as amended, Applicant respectfully requests that the rejection of claims 7 and 15-20 under 35 USC § 102(b) be withdrawn. Claims 1-6 and 16 are canceled, so the rejection of these claims under 35 USC § 102(b) is moot.

Rejections Under 35 U.S.C. § 103

Claims 1, 9 and 10: The Office has rejected claims 1, 9 and 10 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Monia et al. (U.S. 2003/0109466) taken with Schuurs et al. (U.S. 4,016,043). Applicant respectfully traverses this rejection.

Claim 1, as amended, is cancelled without prejudice in the interest of expediting prosecution. Claim 9 is directed to an antisense oligonucleotide comprising a sequence substantially complementary to SEQ ID NO:5 and labeled with a detectable label, wherein the oligonucleotide is from about 8 to about 50 nucleotides in length. Claim 10, as amended, is directed to an antisense oligonucleotide comprising a sequence substantially complementary to SEQ ID NO:5 and labeled with a detectable label wherein the label is selected from enzymes, ligands, chemicals which fluoresce and radioactive elements, and wherein the oligonucleotide is from about 8 to about 50 nucleotides in length.

To establish a prima facie case of obviousness, the prior art references must teach or suggest all the claim limitations. Monia et al., in combination with Schuurs et al. does not render claims 9 and 10 obvious since the combination of Monia et al. and Schuurs et al. do not teach all elements of claims 9 or 10. As discussed above with respect to the rejection of claims 1-4, 11, and 15-20 under §102 over Monia et al., Monia et al. does not teach or suggest an antisense oligonucleotide comprising a sequence complementary to SEQ ID NO:5. Monia et al. does not disclose any sequences comprising SEQ ID NO:5 or any sequences substantially complementary to SEQ ID NO:5. Monia et al., in view of Schuurs et al., does not teach an antisense oligonucleotide comprising a sequence substantially complementary to SEQ ID

NO:5, wherein the oligonucleotide is from about 8 to about 50 nucleotides in length and wherein the oligonucleotide is labeled with a detectable label.

In addition, to establish a prima facie case of obviousness, there must also be some suggestion or motivation to modify the reference or combine the reference teachings. Applicant respectfully submits that one of ordinary skill in the art would not have been motivated to combine the cited references Monia et al. and Schuurs et al. Schuurs et al. is generally directed to diagnostic methods, such as immunoassays, for the detection and determination of a component of an antigen-antibody reaction. (see, e.g. Abstract and Col. 2:60-64 of Schuurs et al.). Monia et al., on the other hand, is generally directed to methods and compositions for modulating KSR expression, including certain antisense oligonucleotides. Contrary to the Office assertions, one of ordinary skill in the art would not be motivated to combine the labeling techniques used for the diagnostic methods of Schuurs et al. with the compositions of Monia et al. intended for modulating KSR expression.

Since Monia et al., in view of Schuurs et al., does not teach or suggest each and every element of claims 9 and 10, as amended, and since there is no motivation to combine the references, Applicant respectfully requests that the rejection of claims 9 and 10 under 35 USC § 103(a) be withdrawn. Claim 1 is canceled, so the rejection of this claim under 35 USC § 103(a) is moot.

Claims 12-14: The Office has rejected claims 12-14 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Monia et al. (U.S. 2003/0109466) taken with Srivastava (U.S. 6,261,834). Applicant respectfully traverses this rejection.

Claim 12, as amended, is directed to a recombinant DNA molecule comprising a nucleic acid sequence which encodes on transcription an antisense RNA from about 8 to about 50 nucleotides in length which is complementary to SEQ ID NO:5. Claim 13 is directed to the recombinant DNA molecule wherein the nucleic acid sequence is operatively linked to a

transcription control sequence. Claim 14 is directed to a cell line transfected with the recombinant DNA molecule of claim 13.

As stated above, to establish a prima facie case of obviousness, the prior art references must teach or suggest all the claim limitations. Applicant respectfully submits that claims 12-14 are not obvious over Monia et al., in view of Srivastava, since the combination of the two references does not teach or suggest all elements of claims 12-14. Monia et al. does not teach or suggest any sequences complementary to SEQ ID NO:5. Accordingly, Monia et al., in view of Srivastava, does not teach a recombinant DNA molecule comprising a nucleic acid sequence which encodes on transcription an antisense RNA which is complementary to SEQ ID NO:5.

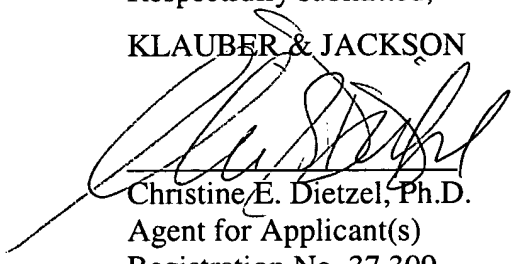
Since Monia et al., in view of Srivastava, does not teach or suggest each and every element of claims 12-14 as amended, Applicant respectfully requests that the rejection of claims 12-14 under 35 USC § 103(a) be withdrawn.

CONCLUSION

Applicants respectfully request entry of the foregoing amendments and remarks in the file history of the instant Application. The Claims as amended are believed to be in condition for allowance, and reconsideration and withdrawal of all of the outstanding rejections is therefore believed in order. Early and favorable action on the claims is earnestly solicited. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 11-1053** referencing docket no. 1216-1-006CIP. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,
KLAUBER & JACKSON



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